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**PLANNING COMMISISON SITE PLAN  
CONDITIONAL USE PERMIT REVIEW SHEET**

**CASE NUMBER:** SPC-2010-0033A      **PC DATE:** May 11, 2010

**PROJECT NAME:** Push Up Foundation

**ADDRESS OF APPLICATION:** 1711 E. Cesar Chavez

**APPLICANT:** Push Up Foundation (Ben Ogbodiegwu)  
1711 E. Cesar Chavez  
Austin, TX, 78702

**AGENT:** Conley Engineering Inc. (Carl Conley, P.E.)  
1301 S. Capital of TX Hwy, Unit A 230  
Austin, TX 78746

**AREA:** 19.598 square feet (.449 acres)

**WATERSHED:** Town Lake (Urban)

**WATERSHED ORDINANCE:** Comprehensive Watershed Ordinance (urban)

**T.I.A.:** N/A

**CAPITOL VIEW:** N/A

**PROPOSED DEVELOPMENT:**

The applicant is requesting a conditional use permit for an automotive washing use to an existing transitional housing and treatment site. The automotive washing will be a hand car wash; however the Land Development Code does not separate automatic car wash from a hand car wash. No additional construction to the site is proposed with this site plan.

No modification to the building or impervious cover is associated with this site plan/change of use; the existing building and parking will be utilized.

**EXISTING ZONING:** The proposed automotive washing use is located within an existing site, that's currently used for transitional housing. The lot is zoned CS-MU-CO-NP and CS-1-MU-CO-NP. Ordinance No. 001214-20 established the zoning and conditional overlay for the site for the East Cesar Chavez Neighborhood Plan, which provided Automotive Washing, of any type be a conditional use within the CS and CS-1 zoning districts.

**NEIGHBORHOOD ORGNIZATIONS:**

6—Barrio Unido Neighborhood Assn.  
23—Old Pecan Street Assn.  
30—Guadalupe Neighborhood Development  
438—Downtown Austin Alliance  
402—Downtown Austin Neighborhood Assn (DANA)  
452—Guadalupe Association for an Improved Neighborhood  
477—El Concilio, Coal. Of Mex Ameri Neigh Assn  
511—Austin Neighborhoods Council  
623—City of Austin Downtown Commission  
742—Austin Independent School District  
744—Sentral Plus East Austin Koalition (SPEAK)  
751—6IXTH Street Austin Association (Formerly Pecan Street Owners Assn)

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767—Downtown Austin Neighborhood Coalition  
786—Home Builders Association of Greater Austin  
972—PODER  
960—Lower Waller Creek  
966—Organization of Central East Austin Neighborhoods (OCEAN)  
975—East Cesar Chavez Neighborhood Planning Team  
1037—Homeless Neighborhood Assn.  
1075—League of Bicycling Voters  
1113—Austin Parks Foundation  
1210—Plaza Saltillo TOD Staff Liaison  
1220—Greater East Austin Neighborhood Assn  
1188—Austin Street Futbol Collaborative  
1189—Tejano Town  
1200—Super Duper Neighborhood Objectors and Appealers Organization  
1223—East Cesar Chavez Neighborhood Assn  
1224—Austin Monorail Project

**SUMMARY STAFF RECOMMENDATION:**

Staff recommends approval of the conditional use permit. The automotive washing use has been in operation for several years and the owner would like to establish a code compliant site. The 7,380 square foot transitional housing and treatment use obtained a certificate of occupancy in 2005, therefore the no-profit agency would like to further their purpose to include the automotive washing use within their training program. The hours of operation for the car wash will be Monday through Saturday, 6am to 8pm. The site plan will comply with all requirements of the Land Development Code prior to its release.

**CASE MANAGER:** Nikki Hoelter Phone: 974-2863  
[Nikki.hoelter@ci.austin.tx.us](mailto:Nikki.hoelter@ci.austin.tx.us)

**PROJECT INFORMATION:** 19,598 square feet (.449 acres)

**EXIST. ZONING:** CS-MU-CO-NP and CS-1-MU-CO-NP

**ALLOWED F.A.R.:** 2:1

**EXISTING F.A.R.:** .38:1

**MAX. BLDG. COVERAGE:** 95%

**EXISTING BLDG. CVRG:** 38%

**MAX. IMPERVIOUS CVRG.:** 95% **EXISTING IMPERVIOUS CVRG:** 93%

**REQUIRED PARKING:** 19

**PROVIDED PARKING:** 19

**Proposed Access:** E. Cesar Chavez

**SUMMARY COMMENTS ON SITE PLAN:**

**Land Use:** The applicant is requesting a conditional use permit for an automotive washing use. A portion of the existing parking and drive area will be utilized for the hand car wash. The use appears to be appropriate for this roadway and area, it's shielded from neighboring uses, and would otherwise be a permitted use within the CS and CS-1 zoning districts. The applicant does not propose additional improvements such as building an automatic car wash, additionally the building and parking lot are existing structures. The proposed car wash is about 25 feet from the nearest residential use, additionally a wooden fence screens the use from the single family property. All compatibility standards are met. Staff recommends approval of the conditional use permit.

**Environmental:** This site is located in the Town Lake Watershed and subject to Urban Watershed regulations. All Environmental comments are cleared.

**Transportation:** Access to the existing site will be from Cesar Chavez. The site plan complies with all

other transportation requirements.

**SURROUNDING CONDITIONS:**

**Zoning/ Land Use**

<b>North:</b>	CS-MU-CO-NP, commercial
<b>East:</b>	CS-1-MU-NP; Office
<b>South:</b>	SF-3-NP; Single family residence
<b>West:</b>	CS-1-MU-NP, commercial

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**CONDITIONAL USE PERMIT REVIEW AND EVALUTATION CRITERA**

A. The following evaluation is included to provide staff position on each point of the conditional use permit criteria. Section 25-5-145 of the Land Development Code states: "The Planning Commission shall determine whether the proposed development or use of a conditional use site plan complies with the requirements of this section. A conditional use site plan must:

B.

1. **Comply with the requirements of this title;**

Staff Response: This site plan complies with all regulations and requirements of the Land Development Code.

2. **Comply with the objectives and purposes of the zoning district;**

Staff Response: The proposed automotive washing use is a conditional use in the East Cesar Chavez neighborhood plan zoning ordinance.

3. **Have building height, bulk, scale, setback, open space, landscaping, drainage, access, traffic circulation, and use that is compatible with the use of an abutting site;**

Staff Response: The site plan will comply with all requirements of the Land Development Code. All improvements on the site are existing and no new construction will be occurring. In addition, the site plan complies with setback, height, and compatibility requirements.

4. **Provide adequate and convenient off-street parking and loading facilities; and**

Staff Response: The site plan complies with off-street parking and loading facility requirements; all parking is existing and new parking will not be required.

5. **Reasonably protect persons and property from erosion, flood, fire, noise, glare, and similar adverse effects.**

Staff Response: The site plan will comply with all requirements of the Land Development Code including Compatibility Standards, and reasonably protects the health, safety, and welfare of persons and property.

6. **For conditional use located within the East Austin Overlay district, comply with the goals and objectives of a neighborhood plan adopted by the City Council for the area in which the use is proposed.** Staff response: The proposed project is in the East Cesar Chavez Neighborhood Plan

C. **In addition, a conditional use site plan may not:**

7. **More adversely affect an adjoining site than would a permitted use;**

An automotive washing use will have no more impact on adjoining properties than other permitted uses in the area which could operate with similar hours.

8. **Adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area; or**

Staff Response: The site plan does not adversely affect the safety and convenience of vehicular and pedestrian circulation. No parking, signage or traffic changes will occur with this site plan.

9. **Adversely affect an adjacent property or traffic control through the location, lighting, or type of a sign.** Staff Response: All signs and lighting will comply with the Land Development Code.

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**D. 25-5-145.** A site plan may not adversely affect the public health, safety, or welfare, or materially injure property. If the Land Use Commission determines that a site plan has an adverse effect or causes a material injury under this subsection, the Land Use Commission shall identify the adverse effect or material injury.

§ 25-5-146 CONDITIONS OF APPROVAL.

(A) To make a determination required for approval under Section 25-5-145 (Evaluation Of Conditional Use Site Plan), the Land Use Commission may require that a conditional use site plan comply with a condition of approval that includes a requirement for:



- (1) a special yard, open space, buffer, fence, wall, or screen;
- (2) landscaping or erosion;
- (3) a street improvement or dedication, vehicular ingress & egress, or traffic circulation;
- (4) signs;
- (5) characteristics of operation, including hours;
- (6) a development schedule; or
- (7) other measures that the Land Use Commission determines are required for compatibility with surrounding uses or the preservation of public health, safety, or welfare.



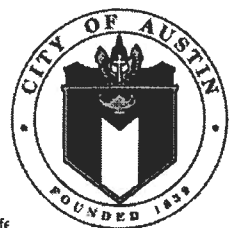


PUSH UP FOUNDATION-CONDITIONAL USE PERMIT



 Subject Tract  
 Base Map

CASE#: SPC-2010-0033A  
 ADDRESS: 1711 E CESAR CHAVEZ ST  
 MANAGER: NIKKI HOELTER



1" = 100'

OPERATOR: R. PARKER

This map has been produced by Notification Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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February 8, 2010

Mr. Greg Guernsey, Director  
Planning & Development Review Department  
City of Austin  
PO Box 1088  
Austin, Texas 78767-8818

Re: Conditional Use Permit  
1711 East Cesar Chavez

Dear Mr. Guernsey:

The above referenced site plan is being submitted for the purpose of obtaining an approval for a conditional use for the existing CS-MU-CO zoning for the subject tract.

The existing site is a 0.45 acre tract located on E. Caesar Chavez. Current site improvements consist of 2 one story concrete block buildings and associated parking.

The owner of the property, Push-Up Foundation, is seeking a conditional use overlay that will allow onsite automotive "hand washing and detailing".

Push-Up Foundation is a non-profit organization that provides transitional housing and job skill training. The car wash use will provide training in responsibility, financial management and ethic skills while providing a limited monetary compensation to the residents to meet their personal needs as they transition to the regular workforce.

Additional information on the services provided by Push-Up Foundation can be found on their website at "pushupfoundation.org".

Please call me if you have any questions regarding the scope of this requested conditional use.

Sincerely,  
Conley Engineering Inc.

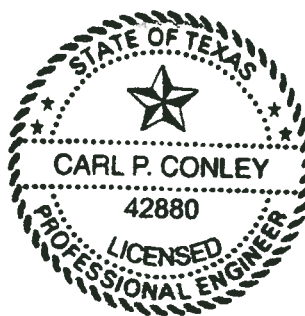


Carl P. Conley, P.E., R.P.L.S.

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TBPE Firm Registration Number F-000277

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